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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/691,614	10/24/2003	Gi Young Jang	HI-0183	7202
34610 7590 12/06/2007 KED & ASSOCIATES, LLP P.O. Box 221200 Chantilly, VA 20153-1200			EXAMINER HANSEN, JAMES ORVILLE	
			ART UNIT 3637	PAPER NUMBER
			MAIL DATE 12/06/2007	DELIVERY MODE PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/691,614

Applicant(s)

JANG, GI YOUNG

Examiner

James O. Hansen

Art Unit

3637

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 02 October 2007.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 20,22-31 and 33-37 is/are pending in the application.
- 4a) Of the above claim(s) 22,24 and 37 is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 20,23,25-31 and 33-36 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____.

DETAILED ACTION

Claim Rejections - 35 USC § 103

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 20, 25-28 & 33 are rejected under 35 U.S.C. 103(a) as being unpatentable over Ma [U.S. Patent No. 5,570,267] in view of Applicant's Prior Art Admission {fig. 1 – known hereafter as APAA}. Ma teaches an inherent method for fixing a flat display panel (A) comprising the steps of: aligning a flat display panel (panel of A) and a fixing frame (frame of A) with a back cover (B) – see fig. 1; then coupling the flat display panel and fixing frame assembly [the display panel and fixing frame are viewed as an assembled device] to the back cover using a fastener (note the upwardly directed screws), the fastener being inserted from the back panel (B) to the display unit (A); and finally coupling a front cover (C) to the back cover, wherein a strength of the front cover may be less than a strength of the back cover depending upon design preferences and in view of the fact that Ma's front cover includes an opening i.e., the front cover is not a solid uniform member [the front cover would be less rigid than the back cover as a result of the opening], within the front cover for receipt of a thin transparent member in order to view the display generated by the display panel; wherein aligning a display panel with a back cover and coupling the display panel to the back cover further comprises coupling the display panel and the fixing frame (viewed as the outer frame around the display panel – the frame and the

panel forming the display unit) to the back cover using the fastener after aligning the display panel with the frame (see fig. 1) – the position is taken that the display panel would inherently be aligned with the fixing frame when forming the combined display unit, this unit would then be coupled to the back cover as shown. The back cover comprises a rear portion of a housing for the display panel as readily apparent to the examiner. The front cover comprises a front portion of the housing for the display panel that includes an opening (fig. 1) through which an image on the panel may be displayed. The back cover is configured to support the display panel when the panel is coupled to the back cover and the front cover is coupled to the back cover as readily apparent to the examiner, wherein aligning the panel with a fixing frame comprises aligning at least one first fixing portion (viewed as any portion along the panel periphery) provided on the panel with a corresponding at least one second fixing portion (viewed as any portion covering the panel periphery) on the frame. Ma further teaches aligning the display unit with back cover before coupling the unit to the back cover wherein this aligning step comprises aligning at least one aligning guide (viewed as the surface aperture on the frame) on the fixing frame with at least one corresponding guide portion (viewed as the surface aperture on the cover) provided on the back cover, so far as broadly recited. Ma teaches applicant's inventive claimed method for fixing a flat display panel as disclosed above, but does not show the fastener being inserted from a forward side of the display panel and extending therethrough and into the back cover (Ma shows the opposite). As such, the position is taken that it would have been obvious to one having ordinary skill in the art at the time the invention was made to rearrange the preference as to which direction the fastener is inserted relative to the mating elements, since it has been held that a mere

reversal of the essential working parts of a device involves only routine skill in the art and therefore will not distinguish the invention from the prior art in terms of patentability. *In re Gazda*, 219 F.2d 449, 104 USPQ 400 (CCPA 1955) (Prior art disclosed a clock fixed to the stationary steering wheel column of an automobile while the gear for winding the clock moves with the steering wheel; mere reversal of such movement, so the clock moves with wheel, was held to be an obvious expedient.). Furthermore, APAA (fig. 1) is cited as an evidence reference to show that it was known in the art to utilize bosses (analogous to applicant's elements 11) along the inner perimeter of a half shell [or cover] to receive fasteners in order to secure a display unit to the shell/cover. Accordingly, it would have been obvious to one having ordinary skill in the art at the time the invention was made to incorporate known securing means [bosses with central apertures] within the shell/cover of Ma as taught by APAA because this arrangement provides a molded structure that is able to readily accept a threaded fastener for the purpose of securing a display unit to a shell/cover. Accordingly, the position is taken that all of the claimed elements were known in the prior art and that one skilled in the art could have combined the elements/steps as claimed by known methods with no change in their respective functions, and the combination would have yielded nothing more than predictable results to one of ordinary skill in the art at the time of the invention.

3. Claims 20 & 25-31 are rejected under 35 U.S.C. 103(a) as being unpatentable over Applicant's Prior Art Admission {fig. 1 – known hereafter as APAA}. APAA (fig. 1 and specification pages 2-4). APAA teaches an inherent method for fixing a flat display panel (4) comprising the steps of: aligning the flat display panel and a fixing frame (3) with a front cover (5); then coupling the flat display panel and fixing frame assembly to

the front cover using a fastener (7); and finally coupling a back cover (2) on the front cover; wherein after being aligned with the fixing frame, a flat display panel is coupled together with the fixing frame on the front cover by the fastener as shown in fig. 1, wherein the back cover and the front cover are coupled to each other by screws (8). The back cover comprises a rear portion of a housing for the display panel as readily apparent to the examiner. The front cover comprises a front portion of the housing for the display panel that includes an opening (fig. 1) through which an image on the panel may be displayed. The back cover is configured to support the display panel when the panel is coupled to the back cover and the front cover is coupled to the back cover by virtue that the front panel is coupled to the back panel and the display panel is mounted to the front panel, wherein aligning the panel with a fixing frame comprises aligning at least one first fixing portion (viewed as the portion that receives element (6)) provided on the panel with a corresponding at least one second fixing portion (viewed as the portion that receives element (7)) on the frame. APAA teaches applicant's inventive claimed structure as disclosed above, but does not show the combined display panel and fixing frame as being fastened to the back cover [APAA shows the opposite connection, i.e., panel to front cover]. However, the position is taken that it would have been obvious to one having ordinary skill in the art at the time the invention was made to rearrange the preference as to which cover is fixed to the panel/frame assembly via a fastener, since it has been held that a mere reversal of the essential working parts of a device involves only routine skill in the art and therefore will not distinguish the invention from the prior art in terms of patentability. *In re Gazda*, 219 F.2d 449, 104 USPQ 400 (CCPA 1955) (Prior art disclosed a clock fixed to the stationary steering wheel column of an automobile while the gear for

winding the clock moves with the steering wheel; mere reversal of such movement, so the clock moves with wheel, was held to be an obvious expedient.). As to claims 29-31, APAA utilizes two distinct fasteners for coupling the display unit and frame to the front cover, however, the position is taken that it would have been obvious to one having ordinary skill in the art at the time the invention was made to combine the fixing tabs of the frame and the panel into one axially aligned tab arrangement for the purpose of utilizing one fastener to join the combined frame and panel to the front cover. Such a modification would reduce the number of fasteners needed to secure the display unit to either of the covers thereby reducing the costs associated with the production of the device. Accordingly, the position is taken that all of the claimed elements were known in the prior art and that one skilled in the art could have combined the elements/steps as claimed by known methods with no change in their respective functions, and the combination would have yielded nothing more than predictable results to one of ordinary skill in the art at the time of the invention.

4. Claims 23 & 34-36 are rejected under 35 U.S.C. 103(a) as being unpatentable over Ma in view of APAA as noted above, and further in view of Ohgami et al., [U.S. Patent No. 5,905,550]. The combined prior art teach applicant's inventive claimed steps as disclosed above, but do not show the coupling of the front cover to the back cover via a hook and a corresponding hook receiving portion [Ma uses conventional fasteners]. However, Ohgami (figures 1-14) teaches the use of a hook (25) on a front cover (21) and the use of a hook receiving portion (26) on a back cover (20) for the purpose of securing the covers together. As such, the position is taken that it would have been obvious to a person of ordinary skill in the art at the time the invention was made to modify the coupling of the prior art so as to substitute a hook arrangement as

taught by Ohgami for the conventional fastener arrangement as employed by Ma because this coupling feature would provide for the secure coupling of the front cover to the back cover while allowing the covers to be uncoupled thereby reducing the number of parts needed to secure the parts together [see col. 3 of Ohgami].

Response to Arguments

5. Applicant's arguments filed March 16, 2007 have been fully considered but they are not persuasive. With regards to applicant's remarks concerning the Ma reference, it is noted that Ma does not teach the step of inserting the fastener from a forward side of the display panel and into the back cover. The claimed "inventive feature" concerns a slight constructional change in the prior art device that is deemed to come within the scope of the customary practice followed by persons skilled in the art, especially as the advantages thus achieved can readily be foreseen. As such, the "inventive feature" lacks an inventive step and therefore does not constitute patentable subject matter. Concerning the "strength" limitation, the position is put forth that enhancing the strength of one element with regards to an adjacent element would have been obvious since enhancing a product was made part of the ordinary capabilities of one skilled in the art based upon the teaching of such improvement in other situations. One of ordinary skill in the art would have been capable of applying this known method of enhancement [added strength] to an element in the prior art and the results would have been predictable to one of ordinary skill in the art. As to applicant's remarks concerning APAA, the examiner recognizes APAA's shortcomings in that the display unit is secured to the front cover and then the back cover is secured to the front cover. This procedure in itself does not obviate the point that one of ordinary skill in the art

would deem the fastening of the display unit to the back cover and then the fastening of the front cover to the back cover an obvious reversal of an assembly procedure wherein the steps performed to produce a product are varied depending upon design preferences but either procedure produces the same product. As previously stated, the "inventive feature" lacks an inventive step and therefore does not constitute patentable subject matter. Furthermore, a person of ordinary skill has good reason to pursue the known options within his or her technical grasp. If this leads to the anticipated success, it is likely the product not of innovation but of ordinary skill and common sense. In that instance the fact that a combination was obvious to try might show that it was obvious under paragraph 103.

6. In summary, where a claimed improvement on a device or apparatus is no more than "the simple substitution of one known element for another or the mere application of a known technique to a piece of prior art ready for improvement," the claim is unpatentable under 35 U.S.C. 103(a). *Ex Parte Smith*, 83 USPQ.2d 1509, 1518-19 (BPAI, 2007) (citing *KSR v. Teleflex*, 127 S.Ct. 1727, 1740, 82 USPQ2d 1385, 1396 (2007)). Accordingly, Applicant claims a combination that only unites old elements with no change in the respective functions of those old elements, and the combination of those elements yields predictable results; absent evidence that the modifications necessary to effect the combination of elements is uniquely challenging or difficult for one of ordinary skill in the art, the claim is unpatentable as obvious under 35 U.S.C. 103(a). *Ex Parte Smith*, 83 USPQ.2d at 1518-19 (BPAI, 2007) (citing *KSR*, 127 S.Ct. at 1740, 82 USPQ2d at 1396. Accordingly, since the applicant[s] have submitted no persuasive evidence that the combination of the above elements is uniquely challenging or difficult for one of ordinary skill in the art, the claim is

unpatentable as obvious under 35 U.S.C. 103(a) because it is no more than the predictable use of prior art elements according to their established functions resulting in the simple substitution of one known element for another or the mere application of a known technique to a piece of prior art ready for improvement.

Conclusion

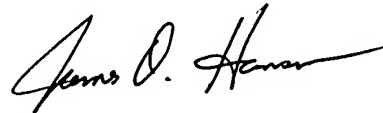
7. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to James O. Hansen whose telephone number is 571-272-6866. The examiner can normally be reached on Monday-Friday between 8-4:30 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Lanna Mai can be reached on 571-272-6867. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.



James O. Hansen
Primary Examiner
Art Unit 3637

JOH
November 27, 2007